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Agenda item 112 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Angola, Argentina, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Czech Republic, Dominican Republic, Ecuador, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Iceland, India, Israel, Italy, Japan, Kenya, Lesotho, Luxembourg, Malta, Marshall Islands, Monaco, Morocco, Namibia, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovenia, South Africa, Spain, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela:
draft resolution

Strengthening of the rule of law

The General Assembly,

Recalling that, by adopting the Universal Declaration of Human Rights,[1] Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that the rule of law is an essential factor in the protection of human rights, as stressed in the Universal Declaration of Human

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[1] Resolution 217 A (III).

Rights, and should continue to attract the attention of the international community,

Convinced that through their own national legal and judicial systems States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Recognizing the importance of the role that can be played by the Office of the United Nations High Commissioner for Human Rights in supporting national efforts to strengthen the institutions of the rule of law,

Bearing in mind that, in its resolution 48/141 of 20 December 1993, the General Assembly entrusted the United Nations High Commissioner for Human Rights with, inter alia, providing advisory services and technical and financial assistance in the field of human rights, enhancing international cooperation for the promotion and protection of all human rights and coordinating human rights activities throughout the United Nations system,

Recalling the recommendation of the World Conference on Human Rights that a comprehensive programme be established within the United Nations with a view to helping States in the task of building and strengthening adequate national structures that have a direct impact on the overall observance of human rights and the maintenance of the rule of law,

Recalling also its resolution 51/96 of 12 December 1996 and Commission on Human Rights resolution 1997/48 of 11 April 1997,

1. Takes note with satisfaction of the report of the Secretary-General;

2. Praises the efforts made by the Office of the United Nations High Commissioner for Human Rights to accomplish its ever-increasing tasks with the limited financial and personnel resources at its disposal;

3. Expresses its deep concern at the scarcity of means at the disposal of the Office of the United Nations High Commissioner for Human Rights for the fulfilment of its tasks;

4. Notes that the programme of advisory services and technical assistance does not have sufficient funds to provide any substantial financial assistance to national projects that have a direct impact on the realization of human rights and the maintenance of the rule of law in countries that are committed to those ends but that face economic hardship;

5. Affirms that the Office of the United Nations High Commissioner for Human Rights remains the focal point for coordinating system-wide attention to human rights, democracy and the rule of law;

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[1] See A/CONF.157/24 (Part I), chap. III, sect. II, para. 69.

[2] A/52/475.

6. Welcomes the deepening of the ongoing dialogue initiated by the United Nations High Commissioner for Human Rights with other relevant bodies and programmes of the United Nations system with a view to enhancing system-wide coordination of assistance in human rights, democracy and the rule of law;

7. Encourages the High Commissioner to continue this dialogue, taking into account the need to explore new synergies with other organs and agencies of the United Nations system with a view to obtaining increased financial assistance for human rights and the rule of law;

8. Also encourages the High Commissioner to continue to explore the possibility of further contact with and support of financial institutions, acting within their mandates, with a view to obtaining technical and financial means to strengthen the capacity of the Office to provide assistance to national projects aiming at the realization of human rights and the maintenance of the rule of law;

9. Requests the High Commissioner to accord high priority to the technical cooperation activities undertaken by the Office with regard to the rule of law;

10. Takes note with appreciation of the proposal contained in the report of the Secretary-General that an analysis be undertaken of technical cooperation provided by the United Nations in the field of human rights with the aim of formulating recommendations for inter-agency coordination, funding and allocation of responsibilities in order to improve efficiency and complementarity of action concerning, inter alia, assistance to States in strengthening the rule of law;

11. Requests the Secretary-General to submit a report to the General Assembly at its fifty-third session on the results of the contacts established in accordance with the present resolution, as well as on any other developments pertaining to the implementation of the above-mentioned recommendation of the World Conference on Human Rights.